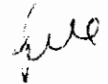


CHOATE

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October 19, 2005

BY HAND

The Honorable Patti B. Saris
District Judge
U.S.D.C. for the District of Massachusetts
John Joseph Moakley U.S. Courthouse
1 Courthouse Way, Room 6130
Boston, MA 02210-3002

RE: *ScanSoft, Inc. v. Voice Signal Technologies, Inc. et al.*
United States District Court Civil Action No. 04-10353 PBS

Dear Judge Saris:

This letter is to inform you that the parties have agreed that Dr. Hermann Ney is an acceptable candidate to serve as the neutral expert to Your Honor in the above captioned litigation. After conversations with counsel, Dr. Ney has agreed to serve in this role. Attached for your reference is Dr. Ney's Curriculum Vitae. The parties are attempting to come to agreement on the procedures by which the parties will present the issues to Dr. Ney and by which Dr. Ney will review the documents. The parties will submit the proposed procedures to Your Honor as soon as possible. ScanSoft's counsel (copied on this letter), has agreed that I may submit this letter and attachments on behalf of both parties.

Sincerely,



Sarah Chapin Columbia

cc: Lisa Fleming
Robert S. Frank, Jr.
Paul D. Popeo
Wendy S. Plotkin